

**ORDINANCE NO. 20-O-63**

***An Ordinance Approving the 2<sup>nd</sup> Continuation of the Emergency Suspension of the Retail Single Use Bag Program (COVID-19 Emergency)***

**WHEREAS**, the City of Woodstock, McHenry County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the City's home rule powers and functions as granted in the Constitution of the State of Illinois; and

**WHEREAS**, on March 25, 2020, the Woodstock City Council temporarily suspended the Single-Use Bag Program until June 1, 2020; and

**WHEREAS**, on May 20, 2020, the Woodstock City Council extended the suspension of the Single-Use Bag Program until September 1, 2020; and

**WHEREAS**, on May 6, 2020, Illinois Governor Pritzker announced the Restore Illinois Health Plan, which establishes five stages or phases, with associated attendant measures taken to protect the public health and move the state progressively forward toward re-opening; and

**WHEREAS**, the State of Illinois is currently in phase four of this plan, which states that customers should not bring reusable shopping bags into stores; and

**WHEREAS**, it is important to acknowledge the need for flexibility to ensure that steps can be taken to avoid the transmission of the virus including by providing ready access to clean and unused packaging for retail purchases, and the City Council has determined that it is in the interests of the public health, safety and welfare of the City's residents and their businesses to continue the suspension of the City's Retail Single-Use Bag Program on a temporary basis.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Woodstock, McHenry County, Illinois, as follows:

**SECTION 1:** The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

**SECTION 2:** The provisions of Title 3, Chapter 22 of the City of Woodstock Municipal Code, the Retail Single-Use Bag Program, shall be suspended until such time as the use of the reusable shopping bags is allowed under the Governor's Restore Illinois Plan and confirmed by the City Council at a future council meeting.

**SECTION 3:** Title 3, Chapter 22.10 shall be amended to read as follows:

**3.22.10: EFFECTIVE DATES:**

This chapter shall be in effect on January 1, 2020 through March 24, 2020, and shall resume effectiveness on a future date determined by the City Council in accordance with the Governor's Restore Illinois Plan. The City's Environmental, and Cultural & Social Awareness Commissions shall review the program and shall provide a report to the City Council, no later than January 18, 2022, to allow the City Council to determine whether to alter, replace or repeal the program.

**SECTION 4:** If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 6:** This Ordinance shall be known as Ordinance 20-O-63 and shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

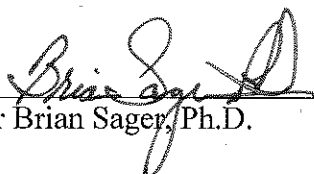
Ayes: Flynn, Lohmeyer, Piersall, Prindiville, Tebo, Mayor Sager

Nays:

Abstentions:

Absentees: Turner

APPROVED:

  
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Mayor Brian Sager, Ph.D.

(SEAL)

ATTEST: Cindy Smiley

City Clerk Cindy Smiley

By Chief Deputy City Clerk Janet Howie

Passed: 8/18/20

Approved: 8/19/20

Published: 8/19/20

## CERTIFICATION


I, CINDY SMILEY, do hereby certify that I am the duly appointed, acting and qualified Clerk of the City of Woodstock, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and Council members of said City.

I do hereby further certify that at a regular meeting of the Woodstock City Council, held on the 18<sup>th</sup> day of August, 2020, the foregoing Ordinance entitled *An Ordinance Approving the 2<sup>nd</sup> Continuation of the Emergency Suspension of the Retail Single Use Bag Program (COVID-19 Emergency)*, was duly passed by said City Council.

The pamphlet form of Ordinance No. 20-O-63, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 18th day of August, 2020, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and corporate seal of the City of Woodstock this 19<sup>th</sup> day of August, 2020.

  
Cindy Smiley, Clerk  
City of Woodstock,  
McHenry County, Illinois

By Chief Deputy City Clerk Jane Howe

(SEAL)

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**AN ORDINANCE APPROVING THE 2ND CONTINUATION OF THE  
EMERGENCY SUSPENSION OF THE RETAIL SINGLE USE BAG PROGRAM  
(COVID-19 EMERGENCY)**

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**ORDINANCE PASSED BY THE  
MAYOR AND CITY COUNCIL  
OF THE CITY OF WOODSTOCK**

**AT THEIR REGULAR MEETING ON AUGUST 18, 2020**

**PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF  
THE CITY COUNCIL  
OF THE  
CITY OF WOODSTOCK**

**Mayor:**

**Brian Sager**

**City Council:**

**Darrin Flynn  
Lisa Lohmeyer  
Wendy Piersall  
James Prindiville  
Gordon Tebo  
Michael Turner**

**Clerk:**

**Cindy Smiley**